

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MANUEL JOHNSON,

Plaintiff,

v.

DELAWARE COUNTY COMMUNITY
COLLEGE,

Defendant.

CIVIL ACTION
NO. 15-01310

ORDER

AND NOW, this 9th day of December, 2015, upon consideration of Delaware County Community College's ("the College") Motion to Dismiss (ECF No. 4.), Manuel Johnson's ("Johnson") Response (ECF No. 7.), and the College's Reply (ECF No. 8.), it is **ORDERED** that the motion is **GRANTED** in part and **DENIED** in part.

Johnson's ADA retaliation claim in Count I, along with his FMLA interference claims in Count II based on his termination and the College's failure to reinstate his position, are **DISMISSED**. The College's motion to dismiss Johnson's ADA discrimination claim in Count I, FMLA interference claim based on insufficient notice in Count II, and FMLA retaliation claim in Count II is **DENIED**.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.